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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Austin Flake and Logan Flake, husband and wife,

Plaintiffs,

v.

Joseph Michael Apria, in his official capacity as Sheriff of the Maricopa County Sheriff's Office, and in his personal capacity along with his wife Ava J. Arpaio; Maricopa County, by and through the Maricopa County Board of Supervisors Denny Barney, Steve Chucri, Andy Kunasek, Clint Hickman, and Steve Gallardo, in their official capacities,

Defendants.

No. CV-15-01132-PHX-NVW

ORDER

Before the Court is Defendant's Motion to Continue Trial (Doc. 136) and the Response (Doc. 137). Defense counsel has recently substituted as counsel in a state court matter with depositions to commence in January 2018 and continue into March. The time of trial is not stated.

Defense counsel can be accommodated by setting a trial on December 5, 2017. This Court is in a seven-week criminal trial beginning October 3, 2017, and cannot set this trial earlier. Pretrial deadlines in this case will be reset to earlier times. The jury will not be inconvenienced by being in trial as the holiday season approaches.

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1 IT IS THEREFORE ORDERED that Defendant's Motion to Continue Trial (Doc.
2 136) is granted to the extent that this case is reset for a firm trial to a jury on **December**
3 **5, 2017.**


4 IT IS FURTHER ORDERED that the Order Setting Final Pretrial Conference
5 (Doc. 135) is further amended as follows:

6 1. A Proposed Final Pretrial Order shall be lodged with the Court no later than
7 **4:00 p.m. on October 27, 2017.**

8 2. The parties shall file and serve all motions in limine no later than **4:00 p.m.**
9 on **October 27, 2017.** The parties must meet and confer in advancing of filing any
10 motion in limine and must certify that the opposing party does intend to offer the
11 challenged evidence. Responses to motions in limine shall be filed on or before **4:00**
12 **p.m. on November 7, 2017.**

13 3. A Final Pretrial Conference shall be held on **November 13, 2017, at 1:30**
14 **p.m.**

15 Dated: September 12, 2017.

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19 Neil V. Wake
20 Senior United States District Judge
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